

ESTTA Tracking number: **ESTTA281397**

Filing date: **05/01/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91164764
Party	Defendant The Brinkmann Corporation
Correspondence Address	GARY A. CLARK, ESQ. SHEPPARD, MULLIN, RICHTER & HAMPTON LLP 333 SOUTH HOPE STREET, 48TH FLOOR LOS ANGELES, CA 90071 UNITED STATES gclark@sheppardmullin.com, shwang@sheppardmullin.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Susan Hwang
Filer's e-mail	shwang@sheppardmullin.com
Signature	/Susan Hwang/
Date	05/01/2009
Attachments	Consent Motion to Extend Time.PDF ( 3 pages )(82222 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BRINK'S NETWORK, INCORPORATED,

Opposer,

v.

THE BRINKMANN CORPORATION,

Applicant.

Opposition No. 91164764

Mark: BRINKMANN

Serial No. 76/483,115

**CONSENT MOTION TO EXTEND DISCOVERY PERIOD**

Applicant The Brinkmann Corporation hereby moves to have the discovery and testimony periods in the above-identified proceeding re-set as follows:

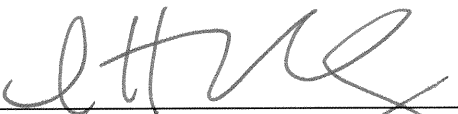
<u>Deadline:</u>	<u>Current Date:</u>	<u>New Date:</u>
Discovery period to close	05/29/2009	06/30/2009
30-day testimony period for party in position of plaintiff to close:	08/27/2009	09/28/2009
30-day testimony period for party in position of defendant to close:	10/26/2009	11/27/2009
15-day rebuttal testimony period for plaintiff to close:	12/10/2009	01/11/2010

This motion is not filed for purposes of delay; the extension of time is necessary in order to take discovery depositions before the close of the discovery period, as required by 37 C.F.R. § 2.120(a).

In e-mail correspondence on April 27, 2009, Applicant's counsel, Susan Hwang of Sheppard, Mullin, Richter & Hampton LLP, obtained the consent of Opposer Brink Network, Incorporated's counsel, Nancy Lapidus of Howrey LLP, to the granting of this motion.

For the reasons set forth above, Applicant respectfully requests that the Board grant the requested extension.

Dated: May 1, 2009



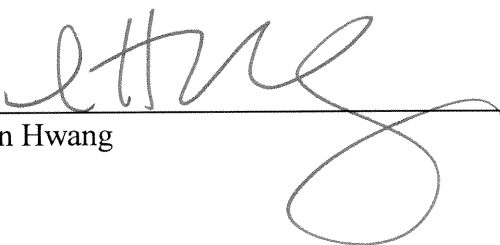
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Attorneys for Applicant  
THE BRINKMANN CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that a copy of this "Consent Motion to Extend Discovery and Testimony Periods" was served by first class mail, postage prepaid, on Nancy S. Lapidus, counsel for Opposer, at Howrey LLP, 1299 Pennsylvania Avenue, N.W., Washington, DC 20004, on May 1, 2009

  
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Susan Hwang